

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

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ESTATE OF YARON UNGAR, *et al.*,

C.A. 00-105L

Plaintiff,

**DECLARATION OF  
ROBERT J. TOLCHIN**

-against-

THE PALESTINIAN AUTHORITY, *et al.*,

Defendants.

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**ROBERT J. TOLCHIN**, pursuant to 28 U.S.C. § 1746, declares and states as follows subject to the penalties for perjury of the United States of America:

1. I am an attorney licensed to practice law by the State of New York, and am of counsel to the firm Jaroslawicz & Jaros, LLC. We represent the plaintiffs herein (“Ungars”) in a series of judgment enforcement proceedings pending in the state and federal courts in which they are seeking to enforce the judgment entered by this Court in the above-captioned matter.

2. In the course of these judgment enforcement proceedings, the Ungars have restrained several large pools of assets, and are currently litigating the amenability of those assets to execution in satisfaction of their judgment.

3. One of these pools of assets is an account at Swiss American Securities, Inc. (“SASI”) titled in the name “Palestinian Pension Fund of the State Administrative Employees Represented by the Palestinian National Authority” This account was restrained by the Ungars in late spring 2005 and remains restrained by them today (although in the interim the parties stipulated that trading in the account would be permitted provided that the assets remain

in the account). A listing of the security positions in the account as of December 2005 is attached hereto as Exhibit 1. Although these securities fluctuate in value, and some have been bought and sold since this list was furnished to us, this account has a value in excess of \$100 million.

4. The Ungars assert (on the basis of extensive evidence, including sworn testimony from a person previously involved managing these funds) that the name on this SASI account – “Palestinian Pension Fund for State Administrative Employees in the Gaza Strip” – does not denote a legal entity but is simply an alias or d/b/a for judgment debtor Palestinian Authority, and that these assets are owned by the Palestinian Authority.<sup>1</sup> This issue is currently being litigated in *Ungar v. Palestinian Authority, et al.*, a declaratory judgment action pending in Supreme Court, New York County, under index number 102101/06. *See Estate of Yaron Ungar v. Palestinian Auth.*, 44 A.D.3d 176, 841 N.Y.S.2d61 (1st Dep’t 2007) (appellate decision addressing discovery issues). The parties have each moved for summary judgment and related relief, which motions were fully submitted several months ago, and are awaiting decision.

5. Another pool of assets that the Ungars have restrained is a debt owed by an Egyptian holding company, Orascom Telecom Holdings (“Orascom”). This debt, which was restrained by the Ungars in late spring 2005, results from an investment that the PA had made through its former investment arm, the Palestine Investment Fund (“PIF”), in an Orascom subsidiary. Pursuant to a settlement agreement between Orascom and the PA/PIF, Orascom is required to pay over to the PA/PIF the sum of \$45 million (“Orascom debt”).

6. The Ungars are seeking turnover of the Orascom debt in an action pending in the United States District Court for the Southern District of New York captioned *Ungar v.*

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<sup>1</sup> Notwithstanding the name on the account, there is no dispute between the parties that these funds have never been used to pay any pensions.

(continued next page)

*Orascom Telecom Holding, S.A.E.*, docket number 07-CV-2572 (CM).<sup>2</sup> Orascom has appeared in that matter by the New York office of White & Case, and has disputed the Court's jurisdiction. Orascom's motion to dismiss has been fully briefed and was submitted for decision this past September.

7. In mid-2005 the Ungars also initiated proceedings in the United States District Court for the District of Connecticut with respect to limited partnership investments in the Canaan Equity entities held by the PIF and another PA-affiliated offshore company, Becont Ltd. *Estate of Ungar v. Palestinian Auth.*, United States District Court for the District of Connecticut docket number 05-MC-208. The present-day value of these equity investments is unknown, but stood at several million dollars at last report.

8. In the Connecticut case, attorneys purporting to act on behalf of the PIF (but in fact acting on behalf of the former CEO of the PIF, who is none other than the current Economic Advisor to the PA) appeared and advised the Court that in early 2007 the PA had purported to make self-serving changes to the PIF's bylaws in a *post-hoc* effort to defeat the effect of the judgment entered by this Court in September 2006 on the Ungars' creditor's bill conveying ownership of the PIF to the Ungars. *See* "Non-Party The Palestine Investment Fund's Memorandum of Law in Support of Its Claim For Determination of Interests Pursuant to Conn. Gen. Stat. § 52-356c, Its Motion to Dismiss, and Its Motion to Strike the Appearance of Robert

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<sup>2</sup> This action was preceded by an earlier one in federal court, which was superseded by this action so that the court could consider jurisdictional contacts that had taken place after the filing of the earlier action. Also, there was litigation in state court which was discontinued in favor of the federal court proceedings. Overall, litigation by the Ungars with respect to the Orascom debt commenced in June 2005.

Tolchin,” filed as Docket number 98, in the Connecticut proceeding, specifically p. 11 and Exhibit 26 thereto.

9. In all the above proceedings, the Ungars’ ability to pursue turnover of these assets is completely dependant on the restraint of these assets by judgment creditor process. These restraints have allowed the assets at issue to be held and maintained subject to the respective courts’ jurisdiction, while the Ungars’ rights to turnover or execution are decided.

10. If the restraints on any of these pools of assets were to be lifted there is no doubt that the assets at issue would immediately be removed from United States’ jurisdiction and/or conveyed to judgment-proof entities. I can state this with certainty since during the past nearly three years, while these enforcement proceedings have been pending, the Ungars have been forced to defend repeated motions and applications to vacate the restraints on all these pools of assets (the SASI account, the Orascom debt and the Canaan investments). Furthermore, Orascom’s principals have stated expressly that they will pay out the \$45 million debt to the PA/PIF the moment the restraints are lifted. Under Orascom’s agreement with the PIF, this sum is not required to be paid in the United States.

11. The Ungars have also brought a turnover proceeding in the United States District Court for the Southern District of New York before the Hon. Colleen McMahon seeking to enforce their judgment as against certain real property located in Manhattan used by the PLO as its “observer mission” in connection its “observer” status at the United Nations. The PLO appeared by counsel and opposed that application in September 2005. In light of the thicket of foreign policy implications raised by that application, Judge McMahon placed it on a suspense docket, to be reactivated if necessary after the Ungars have exhausted other avenues of judgment enforcement.

12. More recently, in November 2007, the Ungars filed a motion in New York State Supreme Court, New York County to execute against a very small sum – about \$11,000 – belonging to the defendants and held by the Bank of New York. *Ungar v. Palestinian Authority*, (New York Sup. Ct. Index No. 105521/05). Soon after this motion was filed, attorneys appeared in the case on behalf of the PA and PLO, and announced their intention to contest turnover of even this tiny sum to the Ungars. Because the cost of litigating would have far exceeded the small sum at issue in that matter, the Ungars withdrew their application.

Dated: New York, New York  
February 6, 2008



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ROBERT J. TOLCHIN

EXHIBIT 1

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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ESTATE OF YARON UNGAR,	:
DVIR UNGAR,	:
YISHAI UNGAR,	:
JUDITH UNGAR,	:
MEIR UNGAR,	:
MICHAL COHEN,	:
AMICHAH UNGAR and	:
DAFNA UNGAR	:
	:
Plaintiffs - Judgment Creditors,	:
	:
THE PALESTINIAN AUTHORITY and	:
THE PALESTINE LIBERATION ORGANIZATION	:
	:
Defendants – Judgment Debtors.	:
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Index No.: 105521/05

**SWISS AMERICAN SECURITIES INC.’S AMENDED VERIFIED ANSWERS  
IN CONNECTION WITH INFORMATION SUBPOENA**

Swiss American Securities Inc. (“SASI”), by and through its undersigned attorneys, hereby submits the following amended Verified Answers in connection with the Information Subpoena served upon SASI in the above-captioned matter pursuant to New York Civil Practice Law and Rules § 5222 (b):

1. Do you and/or any of your branches or subsidiaries have an account or accounts and/or deposit(s) and/or portfolio(s) under any of the following names or permutations thereof: **Palestinian Authority, Palestine Liberation Organization, Palestine Investment Fund (PIF), Palestinian National Authority (PNA), Palestine Commercial Services Corporation (PCSC), Palestinian National Fund, Palestine Monetary Fund (PMF), SAMED, PECDAR or Palestine Monetary Authority (PMA)?**

**ANSWER:**

SASI's records do not directly indicate any "account or accounts and/or deposit(s) and/or portfolio(s)" under any of the entities identified above.

However, SASI recently has been informed that it maintains publicly traded securities and debt instruments, as set forth in detail in Response No. 2 below, belonging to an entity called the Palestinian Pension Fund for the State Administrative Employees of the Gaza Strip.

1.1. If the answer to the previous question is yes, please state: (a) the number(s) of the account(s) deposit(s) or portfolio(s); (b) the identity of the assets in such account(s), deposit(s) or portfolio(s); (c) the market value of the assets in such account(s), deposit(s) or portfolio(s); (d) the dollar amount of cash in such account(s), deposit(s) or portfolio(s); (e) the exact name(s) and/or title(s) of such account(s), deposit(s) or portfolio(s).

**ANSWER:**

Account No. 95577031. Account No. 95509891. See also Response to No. 2 below.

2. Do you and/or any of your branches or subsidiaries have in your possession, custody, or charge, any funds, investments, deposits, goods, chattels, monies, credits or effects belonging or owing or titled to **Palestinian Authority, Palestine Liberation Organization, Palestine Investment Fund (PIF), Palestinian National Authority (PNA), Palestine Commercial Services Corporation (PCSC), Palestinian National Fund, Palestine Monetary Fund (PMF), SAMED, PEC DAR or Palestine Monetary Authority (PMA)?**



**ANSWER:**

SASI's records do not directly indicate any "funds, investments, deposits, goods, chattels, monies, credits or effects belonging or owing or titled to" the entities identified above.

1. However, following its review of information provided in May 2005 by representatives of Broadcort, a Division of Merrill Lynch Pierce Fenner and Smith, to SASI representatives in connection with subpoenas issued by the Plaintiffs-Judgment Creditors, SASI has identified the following securities in its possession, concerning which, according to Broadcort, Broadcort, acting as executing broker on behalf of the Palestinian Pension Fund, purchased:

2,400 shares of Anglo American PLC ADR;  
7,200 shares of Deutsche Telekom AG SPON ADR; and  
3,100 shares of Konink Philips Elect.

2. SASI recently has been informed that the following publicly traded securities and debt instruments in its possession belong to an entity called the Palestinian Pension Fund for the State Administrative Employees of the Gaza Strip:

7,900 shares of ACE Ltd.  
11,100 shares of AMDOCS Ltd.  
60,800 shares of Quanta Capital Holdings Ltd.  
21,400 shares of Scottish Annuity & Life Holding Old/  
35,500 shares of Willis Group Holdings Ltd.  
2,800 shares of Flextronics International Ltd.

\$270,000 bond – AOL Time Warner 6.875% due 05/01/2012

16,445 shares of AT&T Inc.

56,200 shares of Aames Investment Corp/Reit

20,475 shares of Adesa Inc.

5,100 shares of Electrolux AB- Spons ADR-B

3,000 shares of Akzo Nobel N.V. ADR

\$260,000 bond – Albertson's Inc. 7.500% due 02/15/2011

15,500 shares of Albertsons Inc.

\$395,000 bond – Alcoa Inc. 6.500% due 06/01/2011

17,700 shares of Aloca Inc.

1,836 shares of Alleghany Corp./New/

3,735 shares of Allied Irish Bks P L C Sponsored ADR

1,900 shares of Atlanta AG (ADR)

52,700 shares of Altera Corp.

6,700 shares of Anadarko Pete Corp.

10,800 Anglo American PLC ADR

5,700 AXA Spons ADR

23,625 shares of Axcelis Tech Inc.

6,325 shares of BP PLC – ADR

47,00 shares of BNP Paribas ADR

16,600 shares of Baker Hughes Inc.

\$300,000 bond – Bank of America Corp 3.375% due 02/17/2009

11,064 shares of Bank of America Corp./New/  
7,200 shares of Bayer AG Sponsored ADR  
14,500 shares of Bayerische Hypo – Und Ver – AR  
\$275,000 bond – Bear Stearns Co. Inc. 6.500% due 05/01/2006  
\$245,000 bond – Bellsouth Corp. 6.000% due 10/15/2011  
7,000 shares of Benchmark Electrs Inc.  
\$300,000 bond – Boeing Co. 5.125% due 02/15/2013  
\$300,000 bond – Bottling Group LLC 4.625% due 11/15/2012  
2,300 shares of Brasil Telecom Parts.A ADR  
16,950 shares of Brinker International Inc.  
6,000 shares of CBRL Group Inc.  
\$290,000 bond – CIT Group Inc. 4.000% due 05/08/2008  
3,000,000 shares of Canaan Equity III Offshore  
3,400 shares of Canon Inc. ADR New  
1,200 Cardinal Health Inc.  
31,200 shares of Cendant Corp.  
13,500 shares of Champion Enterprises Inc.  
6,600 shares of Charles River Labs International Inc.  
15,000 shares of Chevron Corp.  
8,700 shares of Chubb Corp.  
16,100 shares of Circuit City Stores Inc.  
\$580,000 bond – Citigroup Inc. 3.500% due 02/01/2008

34,566 shares of Citigroup Inc. /New/

\$275,000 bond – Comcast Cable Communication N 6.200% due 11/15/2008

1,800 shares of Comcast Corp. CL A

63,600 shares of Comcast Corp. Special CL A

7,000 shares of Comerica Inc.

6,500 shares of Commercial Capital Bancorp

3,1800 shares of Commscope Inc.

6,100 shares of Computer Sciences Corp.

6,300 shares of Comstock Res Inc./New/

16,200 shares of Conocophillips

\$240,000 bond – Conoco Funding Co. 6.350% due 10/15/2011

16,150 shares of Constellation Brands Inc. – CL

48,800 shares of Converium Holdings AG ADR

\$430,000 bond – Countrywide Home Loan 4.250% due 12/19/2007

\$500,000 bond – CS First Boston Mtg Secs 6.520% due 07/17/2007

9,560 shares of Credit Suisse Group ADR

9,000 shares of Crescent Real Estate Equities Inc.

20,800 shares of DSM N.V. Sponsored ADR

3,755 shares of Dai Nippon Print Unspn ADR

\$300,000 bond – Daimlerchrysler NA HLDG 4.050% due 06/04/2008

\$290,000 bond – John Deer Capital Corp 5.100% due 01/15/2013

31,600 shares of Dell Inc.

58,850 shares of Delphi Corp.

12,800 shares of Dendrite International Inc.

7,500 shares of Diageo PLC Spons ADR

\$275,000 bond – Disney (Walt) Co 6.375% due 03/01/2012

14,280 shares of Discovery Holding Co. CL-A

\$280,000 bond – Dominion Resources Inc. 6.250% due 06/30/2012

1,400 shares of ENI SPA ADR

\$270,000 Bond – EOP Operating LP 7.000% due 07/15/2011

4,980 shares of E ON AG SPON ADR

19,000 shares of Eastman Kodak Co.

\$240,000 bond – Ecolab Inc. CB 6.875% due 02/01/2011

6,175 shares of Eisai Co. Ltd. SPON ADR

30,000 shares of Electronic Data SYS Corp.

9,500 shares of Energy Partners Ltd.

25,200 shares of Equity Residential PPTYS TR SI

9,000 shares of Exelon Corporation

\$86,261 bond – Federal Home LN MTG Corp 5.500% due 06/01/2013

\$33,980 bond – Federal Home Loan Bank 5.500% due 05/01/2011

\$101,821 bond – Federal Home Loan MTG Corp 5.500% due 03/01/2013

\$57,968 bond – FGLMC (PL# C69600) 6.500% due 08/01/2032

\$33,021 bond – FHLMC (PL# C00921) 7.500% due 02/01/2030

\$61,518 bond – FGLMC (PL# C55867) 7.500% due 02/01/2030

8,200 shares of Freddie Mac

\$1,200,000 bond – Federal National MTG ASSN 5.250% due 06/15/2006

\$275,000 bond – Federal National MTG ASSN 5.000% due 01/15/2007

\$1,000,000 bond – Federal National MTG ASSN 4.125% due 04/15/2014

\$43,245 bond – FNMA (PL #252717) 7.500% due 09/01/2029

\$14,514 bond – FNMS (PL# 527423) 7.000% due 01/01/2030

\$6,736 bond – FNMA (PL #542557) 7.000% due 08/01/2030

13,800 shares of Federal Signal Corporation

\$14,573 bond – FNMA PL # 576328 7.000% due 04/01/2031

\$56,836 bond – FNMA (PL# 625183) 5.500% due 01/01/2032

\$58,970 bond – FNCL (PL# 631606) 5.500% due 03/01/2017

\$240,000 bond – Ford Motor Credit Co. 7.375% due 10/28/2009

5,700 shares of Fortis (NL) ADR

1,400 shares of Fresenius Medical Care ADR

3,300 shares of Fuji Photo Film Ltd. ADR 1 ORD NEW)

\$350,000 bond – GE Capital Commercial MTGE CP 5.033% due 12/10/2035

\$61,482 bond – GNMA (PL# X577929SF) 6.000% due 08/15/2032

\$229,941 bond – GNMA (Pool #473931) 6.000% due 05/15/2013

\$75,383 bond – GNMA (Pool #474780) 6.000% due 05/15/2013

5,400 shares of General Electric Co.

\$555,000 bond – General Electric CAP Corp. 5.000% due 06/15/2007

\$168,000 bond – General Mills Inc. 6.000% due 02/15/2012

\$290,000 bond – General Motors ACC 6.875% due 09/15/2011

6,200 shares of Georgia Pac Corp.

9,700 shares of Glaxo Smithkline PLC-ADS

\$295,000 bond – Goldman Sachs Group, Inc. 4.125% due 01/15/2008

13,500 shares of Harmony Gold MNG SPON ADR

10,600 shares of Hartford Financial Svcs Group

12,000 shares of Health Net Inc.

3,375 shares of Heinken NV ADR

18,100 shares of Hewlett Packard Co.

25,500 shares of Highland Hospitality Corp.

\$290,000 bond – Household Finance Corp 4.125% due 12/15/2008

22,200 shares of Infousa Inc.

11,425 shares of ING Groep N.V. SPON ADR

29,525 shares of Interactive Data Corp.

5,800 shares of International Power PLC – ADR

15,825 shares of Ivax Corp./Contra

24,200 shares of JP Morgan Chase & Co.

37,000 shares of Jacuzzi Brands Inc.

12,700 shares of KV Pharmaceutical Co. CL A

8,450 shares of Kaydon Corp.

17,800 shares of Keycorp /New/

26,575 shares of Kingfisher PLC SPONS (ADR)

29,500 shares of Koninklijke Ahold N.V. ADR/NE

6,500 shares of Konink Philips Elect

5,500 shares of Kookmin Bank SPON ADR

9,200 shares of L-3 Communications HLGGS Inc.

\$575,000 bond – Lehman Brothers Holdings 4.000% due 01/22/2008

17,500 shares of Lennox International Inc.

34,620 shares of Liberty Global Inc-A

34,620 shares of Liberty Global Inc. Class C

142,800 shares of Liberty Media Corp. Ser A

12,900 shares of Lloyds TSB Group PLC-SP ADR

22,300 shares of Mc Donalds Corp.

19,550 shares of MCG Capital Corp.

20,950 shares of Meadwestvaco Corp.

11,950 Medco Health Solutions, Inc.

\$290,000 bond – Merrill Lynch & Co. 4.125% due 01/15/2009

6,900 shares of Merrill Lynch & Co. Inc.

5,700 shares of Metso Corp. SPON ADR

66,900 shares of Microsoft Corp.

7,600 shares of Millea Holdings Inc./ADR

9,100 shares of Millipore Corp.

44,870 shares of Mitsubishi UFI Financial-AD

21,800 shares of Moneygram International



\$500,000 bond – Morgan JP Commercial MTG 6.507% due 10/15/2035

\$540,000 bond – Morgan Stanley Dean Witter 5.800% due 04/01/2007

6,700 shares of Morgan Stanley

22,150 shares of Motorola Inc.

12,000 shares of NBTY Inc.

7,425 shares of NCO Group Inc.

2,100 shares of NTL Incorp

24,300 shares of National Instruments Corp.

6,530 shares of Nestle ADR (Backed by Registered SHS)

15,000 shares of Netgear Inc.

\$300,000 bond – Newell Rubbermaid Inc. 4.625% due 12/15/2009

21,500 shares of Newell Rubbermaid Inc.

27,400 shares of Newfield Exploration Company

1,595 shares of Nidec Corp/ADR

30,000 shares of Noble Energy Inc.

86,400 shares of Nortel Networks HLDG Co.

12,300 shares of Northrop Grumman Corp.

5,070 shares of Novartis AG ADR

14,600 shares of Office Depot Inc.

5,300 shares of Omron Corp./ADR

27,000 shares of 1-800 Flowers.Com Inc.

15,100 shares of PMI Group Inc.

17,000 shares of PPL Corp.

20,250 shares of Pactiv Corp.

12,200 shares of Pearson PLC SPONS ADR

2,450 shares of Pernod Richard S A SPONSORED DR

2,100 shares of Petrochina ADR

2,200 shares of Petroleo Brasileiros.A ADR

11,200 shares of Pfizer Inc.

16,600 shares of Praxair Inc.

8,500 shares of Progressive Corp. Ohio

6,855 shares of Reed Elsevier PLC (ADR)

\$270,000 Bond – Republic Service Inc. 6.750% due 08/15/2011

1,900 shares of Rexam PLC-Sponsored ADR

2,355 shares of RIO Tinto PLC SPON ADR

2,540 shares of Roche Holding Ltd ADR

3,400 shares of Rolls-Royce Group PLC/ADR

2,700 shares of Royal Dutch Shell PLC ADR CL

3,000 shares of Ryanair Holdings PLC SPONS ADR

5,800 shares of SK Telecom Co Ltd. ADR

\$290,000 bond – SLM Corp 4.000% due 01/15/2009

6,900 shares of Safeway Inc.

29,500 shares of St Paul Travelers Cos Inc.

3,100 shares of San Paolo IMI SPA SPON ADR

34,523 shares of Sanofi-Aventis SA-ADR

12,500 shares of Sara Lee Corp.

2,486 shares of Sears Holdings Corp.

900 shares of Secom Ltd. ADR

2,850 shares of Siemens AG-ADR

15,600 shares of Societe Generale SPONS ADR

8,130 shares of Sony Corp ADR /NEW/

20,775 shares of Stage Stories Inc.

7,950 shares of Startek Inc.

1,700 shares of Stora Enso OYJ ADR

11,000 shares of Swift Energy Co.

20,000 shares of TTM Technologies

40,611 shares of Taiwan Semiconductor SP ADR

6,250 shares of Tech Data Corp

3,800 shares of Technip – Coflexip – ADR

6,279 shares of Telefonica SA SPON ADR

4,300 shares of Telewest Global Inc.

26,800 shares of Teradyne Inc.

1,740 shares of Total S.A (ADR)

3,830 shares of Toyota Motor Corp. SPON ADR

21,100 shares of TYCO International Ltd.

9,500 shares of URS Corp /NEW/

8,400 shares of Union Pacific Corp.

6,800 shares of United Auto Group Inc.

3,000 shares of United Overseas Bank Ltd. SPON ADR

\$300,000 bond – US Bancorp 3.125% due 03/15/2008

\$1,500,000 bond – United States Treasury Notes 6.250% due 02/15/2007

\$955,000 bond – United States Treasury Notes 4.750% due 11/15/2008

\$1,750,000 bond – United States Treasury Notes 4.625% due 05/15/2006

\$130,000 bond – United States Treasury Notes 5.000% due 08/15/2011

\$165,000 bond – United States Treasury Notes 3.875% due 02/15/2013

\$1,135,000 bond – United States Treasury Notes 4.750% due 05/15/2014

16,200 shares of United Technologies Corp.

34,400 shares of Unitedhealth Group Inc.

27,200 shares of Unova Inc.

23,850 shares of Unumprovident Corp.

3,800 shares of UPM-Kymmene Corp. – SPONS ADR

19,700 shares of Verizon Communications

\$510,000 bond – Verizon Global Funding Corp. 7.375% due 09/01/2012

2,100 shares of WPP Group PLC SPONS ORED ADR

\$310,000 Bond – Wachovia Corp. 3.625% due 02/17/2009

45,650 shares of Wachovia Corp.

\$280,000 bond – Washington Mutual, Inc. 4.000% due 01/15/2009

16,400 shares of Washington Mutual Inc.

43,100 shares of Waste Management Inc. (NEW)

9,400 shares Watson Pharmaceuticals Inc.

\$300,000 bond – Wells Fargo Co. 3.500% due 04/04/2008

20,075 shares of Wiley John & Sons Inc. CL A

37,600 shares of Williams Companies, Inc. (Delaware)

12,200 shares of Wyeth

SASI has restrained these publicly traded securities and debt instruments identified above.

2.1. If the answer to the previous question is yes, please describe in full the funds, investments, deposits, goods, chattels, monies, credits or effects, including their value, nature title and designation.

**ANSWER:**

See Response to No. 2 above.

3. Are you and/or any of your branches or subsidiaries in any way indebted to **Palestinian Authority, Palestine Liberation Organization, Palestine Investment Fund (PIF), Palestinian National Authority (PNA), Palestine Commercial Services Corporation (PCSC), Palestinian National Fund, Palestine Monetary Fund (PMF), SAMED, PECДАР or Palestine Monetary Authority (PMA)?**

**ANSWER:**

No.

3.1. If the answer to the previous question is yes, state to what extent and in what manner the debt accrued, and if evidenced by an instrument in writing, describe the same and state what has become of the same and under whose custody it is held.

**ANSWER:**

N/A

4. Are you and/or any of your branches or subsidiaries now bound under any contract(s) to pay either of the judgment debtors, directly or to any other party on account of either judgment debtor, any monies, funds or credits of any type?

**ANSWER:**

No.

4.1. If the answer to the previous question is yes, state the nature of said contract, the names of the contracting parties, the nature and amount of the monies, funds or credits to be paid, and when and exactly to whom the same was or is due and payable.

**ANSWER:**

N/A

Do or did you and/or any of your branches or subsidiaries have transactions with either judgment debtor, as of the date of this subpoena or one year prior thereto, directly or indirectly, as a result of which either judgment debtor is/are now, or may in the future, become entitled to money or anything of value?

**ANSWER:**

No.

5.1. As to each such transaction, what is the nature of the transaction, the date of the transaction, and the amount the judgment debtor(s) is/are, or may be, entitled to?

**ANSWER:**

N/A

6. What is the description and value of each item of collateral you hold concerning either judgment-debtor?

**ANSWER:**

N/A

6.1. What interest does either judgment debtor appear to have in each such item of collateral?

**ANSWER:**

N/A

7. Is any of the property in your possession or care, in which either judgment debtor has an interest, subject to liens, attachments or other encumbrances?

**ANSWER:**

See Response to No. 2 above.

7.1. What are the full details of the same in regard to each asset?

**ANSWER:**

See Response to No. 2 above.

The foregoing answers are true and complete.

Dated: New York, New York  
December 6, 2005

Respectfully submitted,

Duval & Stachenfeld LLP  
Attorneys for Swiss American Securities Inc.

By: 

Allan N. Taffet, Esq.  
300 East 42<sup>nd</sup> Street  
New York, New York 10017  
Tel. No.: (212) 883-1700



**VERIFICATION**


STATE OF NEW YORK     )  
                                  *Kings*     ) ss.:  
COUNTY OF ~~NEW YORK~~     )

ADAM REZAK, being duly sworn, deposes and says:

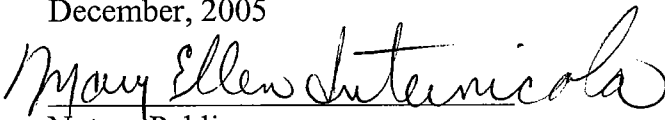
I am a Vice President for Swiss American Securities Inc. ("SASI") and have read the above amended answers of SASI to the Information Subpoena issued pursuant to CPLR § 5222(b) above. The Answers have been compiled based upon SASI's records and prepared by counsel and are true to the best of my knowledge.

SWISS AMERICAN SECURITIES INC.

By:

  
Adam Rezak, Esq.  
Vice President

Sworn to before me this 6<sup>th</sup> day of  
December, 2005

  
Notary Public

**MARY ELLEN INTERNICOLA**  
Notary Public, State of New York  
No. 01IN5014061  
Qualified in Kings County  
Commission Expires July 15, 2007

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
ESTATE OF YARON UNGAR, DVIR UNGAR,  
YISHAI UNGAR, JUDITH UNGAR, MEIR UNGAR,  
MICHAEL COHEN, AMICHAH UNGAR and  
DAFNA UNGAR

Plaintiffs – Judgment Creditors,

-against-

THE PALESTINIAN AUTHORITY and  
THE PALESTINIAN LIBERATION ORGANIZATION,

Defendants – Judgment Debtors.  
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**AFFIDAVIT OF SERVICE**

Index No.: 105521/05

STATE OF NEW YORK                    )  
  )     ss.:  
COUNTY OF NEW YORK                )

The undersigned being duly sworn, deposes and says:

Deponent is not a party to the within action, or an employee of any party, and is over 18 years of age.

That deponent served a true copy of Swiss American Securities Inc.'s Amended Verified Answers In Connection With Information Subpoena, dated December 6, 2005, in the above action on the attorneys for plaintiffs-judgment creditors, Estate of Yaron Ungar, Dvir Ungar, Yishai Ungar, Judith Ungar, Meir Ungar, Michael Cohen, Amichai Ungar and Dafna Ungar, (i) via overnight delivery to David J. Strachman, Esq., McIntyre, Tate, Lynch & Holt, 321 South Main Street, Suite 400, Providence, RI, 02903; and (ii) via first class mail to Lee Squitieri, Esq., Squitieri & Fearon, 32 East 57<sup>th</sup> Street, 12<sup>th</sup> Floor, New York, NY 10022.

  
\_\_\_\_\_  
Timothy C. Dawe

Sworn to before me this  
6<sup>th</sup> day of December, 2005

  
\_\_\_\_\_  
Notary Public

**VALERIE PEREZ**  
**Notary Public, State of New York**  
**No. 01PE6135448**  
**Qualified in Bronx County**  
**Commission Expires October 17, 2009**